SIKKIM

GOVERNMENT GAZETTE

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GOVERNMENT OF SIKKIM
LAW & PARLIAMENTARY AFFAIRS DEPARTMENT
GANGTOK

No. 11(656)L&PAD/2021/62 **Dated: 25.03.2025**

NOTIFICATION

The following Act passed by the Sikkim Legislative Assembly and having received the assent of the Governor on 12th day of March, 2025 is hereby published for general information:-

THE SIKKIM MODEL SCHOOLS ACT, 2025

(ACT NO. 05 OF 2025)

AN

ACT

to *provide for the establishment of the Sikkim Model Schools, a Government Aided School in the State of Sikkim, to serve as exemplars of innovative educational system, designed to provide a high-quality education while serving as models for other schools to emulate and to have a clear vision and mission that guide their educational philosophy and goals and matters connected therewith and incidental thereto.*

BE *it enacted by the Legislature of Sikkim in the Seventy-sixth Year of the Republic of India, as follows: -*

Short title, extent and commencement

1. (a) This Act may be called the Sikkim Model Schools Act, 2025.
   (b) It extends to the whole of Sikkim.
   (c) It shall come into force at once.

Definitions

2. In this Act, unless the context otherwise requires, -
   (a) "**Appointing Authority**" means the Chairman;
   (b) "**Appointed day**" means the date of commencement of this Act;

(c) "**Auditor**" means auditor appointed by the Board;

(d) "**Board**" means the Sikkim Model School Board established under this Act;

(e) "**Chairman**" means the Chairman of the Board of Governors for the Model School;

(f) "**Chairperson**" means Chairperson of the Executive Committee;

(g) "**Executive Committee**" means the Executive Committee constituted for the school;

(h) "**Fund**" means the fund established for the Model School;

(i) "**Government**" means the State Government of Sikkim;

(j) "**Member**" means a member of the Board;

(k) "**Model Schools Rules (MSR)**" means the set of rules framed by the Board for overall administrative and financial management of the model school;

(l) "**Prescribed**" means prescribed by the rules, regulations or statutes made under the Act;

(m) "**Rules**" means rules made under section 17;

(n) "**Regulations**" means regulation made under this Act;

(o) "**School**" means Model Schools in Sikkim.

Establishment and incorporation of Board

3. (1) On and from the appointed day, there shall be established a Board for the Model School, called the Sikkim Model School Board.

(2) The Board shall be a body corporate having perpetual succession and a common seal, with power to acquire, hold and manage property, both movable and immoveable and to contract and shall by the name sue and be sued.

(3) The Board shall be under the control of School Education, Education Department, Government of Sikkim.

Objectives and Functions of the Model School

4. (1) The following shall be the objectives and functions of the school, namely:-

(a) recognizing, identifying, and nurturing each student's unique abilities, sensitizing both teachers and parents to foster holistic development in academic and non-academic aspects;

(b) providing flexibility so that learners can choose their learning paths and programs, allowing them to chart their own life journeys based on their talents and interests;

(c) eliminating rigid distinctions between arts and sciences, curricular and extracurricular activities, vocational and

academic streams to foster integration among different areas of learning and remove hierarchical barriers;

(d) providing a multi-disciplinary and holistic education encompassing sciences, social sciences, arts, humanities and sports to prepare students for a diverse world and uphold the unity of knowledge;

(e) emphasizing conceptual understanding over memorization and exam-oriented learning;

(f) promoting creativity and critical thinking to encourage logical decision-making and innovation;

(g) instilling ethics and human values such as empathy, respect, cleanliness, democratic spirit, service orientation, respect for public property, scientific temper, liberty, responsibility, pluralism, equality and justice;

(h) promoting multilingualism and harnessing the power of language in teaching and learning;

(i) developing life skills such as communication, cooperation, teamwork, and resilience;

(j) emphasizing regular formative assessment for learning rather than summative assessment thus discouraging a culture focused solely on coaching for exams;

(k) leveraging technology extensively in teaching and learning to overcome language barriers, enhance access for students with disabilities and improve educational planning and management;

(l) emphasizing respect for diversity and the local context in all curriculum, pedagogy and policy, recognizing education as a concurrent subject;

(m) ensuring full equity and inclusion as fundamental principles guiding all educational decisions to support every student's success in the education system;

(n) ensuring curriculum synergy across all levels of education from early childhood to school education to higher education;

(o) recognizing teachers and faculty as central to the learning process, prioritizing their recruitment, continuous professional development, creating positive work environments, and improving service conditions;

(p) highlighting outstanding research as essential for excellence in education and overall development;

(q) fostering a deep connection to and pride in India's rich, diverse cultural heritage, ancient wisdom and modern knowledge systems and traditions;

(r) affirming education as a public service and recognizing access to quality education as a fundamental right for every child, necessitating substantial investment in a robust public education system and promoting genuine philanthropic and community participation;

(s) to appoint and retain highly qualified and dedicated teachers who are committed to teaching and mentorship providing students with guidance and inspiration.

Constitution of the Sikkim Model School Board

5. (1) The Sikkim Model School Board shall consist of the following members, namely:-

(a) Chief Secretary, Government of Sikkim - Chairman;

(b) Additional Chief Secretary, Education Department, Government of Sikkim; - Vice Chairman;

(c) Secretary, School Education, Education Department - Member;

(d) Secretary, Social Welfare Department - Member;

(e) Secretary, Women & Child Development Department - Member;

(f) Secretary, Sports & Youth Affairs Department - Member;

(g) Secretary, Finance Department - Member;

(h) Principal Director, Education Department - Member;

(i) Director, Accounts, Education Department - Member;

(j) Director, State Council of Educational Research and Training, Education Department - Member;

(k) Director, School Education, Education Department - Member;

(l) Additional Secretary, Administration, Education Department - Member;

(m) Director-cum-Principal of Model School - Member Secretary.

Powers and Functions of the Board of Management

6. (1) The Board members shall have all the powers necessary for administration and management of the Model School.

(2) The Board shall be the legal owner of the school and all.

(3) The Chairman shall be the appointing authority of all employees of the school including its Director-cum-Principal. The Board's prior sanction shall be obtained (in an Annual General Meeting or a Special Meeting) by the Executive Committee before any immovable properties are acquired by outright purchase and such acquisitions and management shall be made in the name of the Board.

(4) All matters regarding the service of the Director-cum-Principal including any disciplinary proceedings against him and his dismissal, discharge, extension of service shall be considered and decided by the Board.

(5) The Board shall frame service rules governing the position of the Director-cum-Principal.

(6) To consider the yearly budgets, supplementary budgets, revised estimate submitted by the Director-cum-Principal and pass such budgets and estimates.

(7) To define the powers and functions of the Director-cum-Principal, delegate to him any of the powers vested in it under this Act and the regulations made thereunder.

(8) The Board may, from time to time, make regulations consistent with this Act.

(a) in particular, and without prejudice to the generality of the foregoing provision, such regulations may be made on the following matters, namely: -

(i) procedure for holding meetings of the Board;

(ii) procedure of the meetings of the Executive Committee;

(iii) procedures of the Model Schools Rules (MSR) for overall administrative and financial management of the model schools;

(iv) any other matter which may be prescribed.

(b) till such time as regulations regarding the terms and conditions of service of the school employees and finance and money matters are made under the provisions of the Act, the corresponding rules of the Government may be followed to the extent the circumstances permit:

Provided that this shall be without prejudice to any provisions already incorporated in this Act relating to such matters.

Appointment of Auditor

7. The annual accounts of the schools shall be audited by a Chartered Accountant, who shall be the member of Institution of Charted Accountants of India, to be appointed by the Board on mutually agreeable terms for a period of 3 (three) years:

Provided that the same auditor shall not be appointed for more than three consecutive years.

Removal of member of Executive Committee

8. The Board may remove any member of the Executive Committee in a Special Meeting summoned at the instance of the Chairman for proved misuse of power and grave infringement of the provisions of this Act and the regulations made thereunder and make such transitory provisions as it deems fit to remedy the vacancy thus caused.

Alterations of school-structure within exclusive competence of Board

9. (1) Any alterations in the structure of the school of the type described below shall be within the exclusive competence of the Board, and it may consider the following alterations in an Annual General Meeting or a Special Meeting:

(a) change the medium of instruction in the school;

(b) abolition or addition of class:

Provided that this does not apply to abolition or addition of a division or section of an existing class;

(c) change-over of the affiliation of the school to any Board, Council or other body for Examinations to any other Board.

Removal and resignation of members of Board

10. (1) The Board may, at any time, remove any member, if it is proved that such member is guilty of misusing his office for private profit or he is incapable of discharging his duties as a member due to mental or physical infirmity or other such uncapabilities.

(2) The Board may remove from office any member other than an ex-officio member who is absent without leave of the Board for more than three consecutive meetings thereof without cause, sufficient in the opinion of the Board, to exonerate his absence: Provided that no member shall be removed from office unless a reasonable opportunity has been given to him to show cause against such removal.

(3) Any member (other than one who holds office in ex-officio capacity) may resign from office by giving notice in writing to the Chairman and on such resignation being accepted by the Chairman, he shall be deemed to have vacated his office with effect from the date of his resignation or such other later date as may be specified.

Proceedings of the Board

11. (1) The Annual General meeting of the Board shall be held once a year before the expiry of three months from the end of the immediately preceding academic session of the school. The procedure for holding such meeting shall be such as may be prescribed.

(2) At the Annual General Meeting the Board shall consider the Annual Report presented to it by the Executive Committee including the audited accounts and auditor's report relating to the immediately preceding year and pass the same without notification or pass the same with observations for consideration of the Executive Committee.

(3) In the Annual General Meeting the Board shall decide to appoint or re-appoint an Auditor as required.

(4) For every meeting of the Board of Management, fifteen days' notice shall be given.

(5) Two-third of the members of the Board shall form the quorum.

(6) In addition to an Annual General Meeting the Board may meet as often as is necessary (such a meeting being called 'Special Meeting') provided the following conditions are satisfied,-

(a) the proposal to hold any special meeting should originate from the Executive Committee;

(b) the agenda for the meeting should be circulated among all members of the Board at least seven days before the date of the proposed meeting;

(c) there should be proper notice of the meeting to all members of the Board in accordance with procedure prescribed in respect of Annual General Meeting;

(d) other procedural regulations regarding a Special Meeting shall be the same as in the case of an Annual General Meeting.

The Model School Fund

12. (1) The Board shall have a fund to be called the Model School Fund.

(2) The Board may accept grants, subventions, donations, gifts and loans from the Government or a local authority or any individual or body, whether incorporated or not, for all or any of the purposes of this Act.

(3) The Government may, from time to time, make grants to the Board including grant of part or whole of the amount required to meet the expenditure on establishment of the Board.

(4) All money received by or on behalf of the Board, all proceeds of sale of land or any other property, all rents, betterment charges and all interest, profits and other moneys accruing to the Board shall be deposited in the fund of the Board.

Mode of Operation

13. (1) The model school shall operate with autonomy in administration, academic and finances empowering the Director-cum-Principal to make decisions in the best interest of the school.

(2) Academic autonomy allows the school to incorporate innovative teaching methodologies, curriculum design and student assessment, practices to meet the diverse needs of the learners.

(3) Financial autonomy with financial power as prescribed in the Model School Rules (MSR) which will enable the school to manage the budget, allocate resources officially and invest in initiatives that enhances education quality and student outcomes.

Financial Powers of the Executive Committeeand Audit Requirements

14. (1) All transactions of money and property covered by this Act shall be entered into and carried out by the Executive Committee on behalf of the Board and shall have power to enter and carry out such transactions without prior reference to the Board:

Provided that:

(a) all such transactions are within the competence of the Board; and

(b) all such transactions are reported to the Board in the immediately following Annual General Meeting.

(2) The Executive Committee may open such accounts, in such banks, as it deems fit, to deposit and operate the monies belonging to the Board's Fund or any other funds and monies belonging to the Board including the Model School Fund at its discretion for the benefit of the School and the Board.

(3) All financial holdings of the school shall be audited by an Auditor appointed by the Board on an annual basis unless required by the Board to hold such audit as interim audit and the audited reports should be approved by the Board.

(4) The Executive Committee shall ensure that proper accounts are maintained in respect of all financial transactions of the Board and that the Auditor is enabled to audit all such accounts effectively and in proper time.

(5) The Executive Committee may also cause internal audit to be conducted as and when it deems fit.

Constitution of the Executive, Committee and its tenure

15. (1) Every year, at its Annual General Meeting, the Board shall constitute an Executive Committee consisting of persons referred in sub-section (3), in order to carry out purposes of this Act and run the school on behalf of the Board.

(2) The tenure of the Executive Committee shall be valid from the date of its constitution till the date of new Executive Committee in the next Annual General Meeting.

(3) The Executive Committee shall consist of the following members for implementation of policies approved by the Board, namely:-

(a)	Director-cum-Principal	- Chairperson;
(b)	Head Master/Mistress Junior School	- Member;
(c)	Faculty members two Senior Faculty on annual rotation basis)	- Member;
(d)	Office Administrator	- Member;
(e)	Finance Officer	- Member;
(f)	Two Parents representative	- Member;
(g)	concerned Gram Panchayat President	- Member.

Appointment of Director-cum-Principal

16. (1) To ensure transparent and merit-based selection the following guidelines shall be followed namely;

(a) Open Advertisement: An open advertisement shall be published in a national and local newspaper (one Nepali & one English) to attract a diverse pool of candidates;

(b) Criteria: The selection criteria shall emphasize qualities such as academic qualification. Minimum Educational Qualification shall be Master of Arts (M.A.) and Bachelor of Education (B.Ed.), leadership experienced, commitment to student's welfare and passion for educational improvement.

(2) The Board Members of the Model School shall constitute an independent Selection Committee responsible for short listing candidates and conducting interview.

Power to make rules

17. The State Government may, by notification in the Official Gazette, make rules not inconsistent with the provisions of this Act, for carrying out the purposes of this Act.

Power to remove difficulties

18. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by an order published in the Official Gazette, take steps not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for removing such difficulty:

Provided that no notification order under this sub-section shall be made after the expiration of a period of 3 (three) years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before the State Legislature.

Transitional Provision

19. Notwithstanding anything contained in any other provisions of this Act, the first Director-cum-Principal shall be appointed by the State Government and he shall hold office for a term of 3 (three) years.

Government Decision to be Final

20. If any question arises as to whether any person has been duly appointed as, or is entitled to be a member of any authority or another body of the school, the matter shall be referred to the State Government, whose decision shall be final and binding.

Annual Report

21. The annual report of the schools shall be prepared by the Executive Committee which shall include among other matters, the steps taken by the school towards the fulfilment of its objects and shall be approved by the State Government.

SURAJ CHETTRI (SSJS)
L.R.-cum-SECRETARY
LAW & PARLIAMENTARY AFFAIRS DEPARTMENT

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